

# EXHIBIT O

**France, Michael (PAO)**

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**From:** Shvodian, Daniel T. (PAO)  
**Sent:** Friday, June 2, 2023 5:49 PM  
**To:** Eric Buether; Meghna Srikanth  
**Cc:** Ta, Janice (AUS); Valentine, James (PAO); Hester, Adam (MSN); benjamin.weed@klgates.com; Maxfield, Amanda C.; melissa@gillamsmithlaw.com; Chris Joe; BJC-Lexos; Ken Kula  
**Subject:** Lexos v. Office Depot/Amazon/Target - "promotional material"

Hi Eric,

The parties agreed that "promotional material" should be given its plain and ordinary meaning, as stated in the Joint Claim Construction and Prehearing Statement. But as Defendants informed you during the exchange of proposed claim constructions and during our telephonic meet and confer, Defendants intend to argue in the claim construction briefing and at the hearing that "promotion material" is subject to the printed matter doctrine and should not be given any patentable weight.

Regards,  
Dan